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BANK OF RIO VISTA

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Attorneys for Defendants
WOODBINE ALASKA FISH COMPANY, GUY FERRARI
and VIRGINIA FERRARI

UNITED STATES DISTRICT COURT

FOR THE NORTHERN DISTRICT COURT OF CALIFORNIA

BANK OF RIO VISTA

Plaintiff,

vs.

VESSEL CAPT. PETE, Official Number
1058450, her engines, tackle, furniture, apparel,
In Rem, VESSEL WOODBINE, Official
Number 647243, her engines, tackle furniture,
apparel, In Rem, WOODBINE ALASKA FISH
COMPANY, an Alaska Corporation, GUY
FERRARI and VIRGINIA FERRARI, In
Personam

Defendants

) IN ADMIRALTY

) CASE NO. 04-CV-2736 CW

) **AMENDED STIPULATION AND**
) **~~[PROPOSED]~~ ORDER CONTINUING**
) **DISCOVERY DATES, COURT**
) **DEADLINES, AND TRIAL**

) Judge: Hon. Claudia Wilken

Pursuant to the Case Management Order filed by this Court on February 22, 2005, the Court set certain discovery dates, court deadlines, and an October 31, 2005 trial date in this matter. The parties desire to continue all the dates in this matter for a period of six months. The continuance is necessary because the parties up to this point have focused on the judicial

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1 foreclosure sales of the vessel CAPT PETE and the vessel WOODBINE, which was only
2 recently sold pursuant to the court's order in the rem action filed in the United States District
3 Court in Portland, Oregon, Case No. 04-CV-910-MO. Now that they are completed, the parties
4 intend to focus on the in personam claims against Defendants. Further the parties have
5 scheduled a mediation for September 8, 2005. Lastly Plaintiff intends to file a Summary
6 Judgment Motion which it believes will be dispositive of the actions.

7 Based on the forgoing, the parties propose the schedule in this case be continued six (6)
8 months as follows:

- 9 • Completion of fact discovery: April 28, 2006;
- 10 • Disclosure of identities and reports of expert witnesses: May 16, 2006;
- 11 • Completion of expert discovery: June 16, 2006;
- 12 • All case dispositive motions heard on or before: October 20, 2006;
- 13 • Pre-Trial Conference: January 5, 2007, at 1:30 P.M.;
- 14 • Trial date: January 16, 2007.

15 In addition, the parties stipulated and agreed to use the court appointed mediator, Eric
16 Danoff, and have scheduled mediation with Mr. Danoff on September 8, 2005.


18 Dated: August 25, 2005

GORDON & REES, LLP

19
20 By: 
21 Russell P. Brown
22 Attorneys for Plaintiff
BANK OF RIO VISTA

23 Dated: August __, 2005

BIRNBERG & ASSOCIATES

24
25 By: 
26 Cory A. Birnberg
27 Attorneys for Defendants
28 WOODBINE ALASKA FISH COMPANY, GUY
FERRARI and VIRGINIA FERRARI

ORDER

Pursuant to the stipulation above, the dates set by the Court's February 22, 2005 Case Management Order are hereby continued as indicated below:

- Completion of fact discovery: April 28, 2006;
- Disclosure of identities and reports of expert witnesses: May 16, 2006;
- Completion of expert discovery: June 16, 2006;
- All case dispositive motions heard on or before: October 20, 2006;
- Pre-Trial Conference: January 5, 2007, at 1:30 P.M.;
- Trial date: January 16, 2007.

Date: 9/1/05

U.S. DISTRICT JUDGE

